

PHILLIP A. TALBERT
Acting United States Attorney
SHELLEY D. WEGER
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CYNTHIA SEELEY,

Defendant.

CASE NO. 2:20-CR-00202 WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: November 15, 2021
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 15, 2021.
2. By this stipulation, defendant now moves to continue the status conference until January 31, 2022 at 9:00 a.m., and to exclude time between November 15, 2021, and January 31, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports, records obtained from third parties, email correspondence, and other electronic records consisting of over 730 pages of documents as well as an audio recording. The discovery has been either produced directly to counsel and/or made available for inspection

1 and copying.

2 b) Defense counsel represents that he is continuing to collect information that will
3 likely bear on the resolution of the case. He seeks additional time to collect this information and
4 time also to present it to the government, as well as time to prepare for trial if this matter is not
5 otherwise resolved.

6 c) Counsel for defendant believes that failure to grant the above-requested
7 continuance would deny him the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of November 15, 2021 to January 31,
15 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
16 T4] because it results from a continuance granted by the Court at defendant's request on the basis
17 of the Court's finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendant in a speedy trial.

19 THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK
20
21
22
23
24
25
26
27
28

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 9, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ SHELLEY D. WEGER
SHELLEY D. WEGER
Assistant United States Attorney


Dated: November 9, 2021

/s/ TIMOTHY ZINDEL by Shelley
Weger as authorized on 11/9/21
TIMOTHY ZINDEL
Counsel for Defendant
CYNTHIA SEELEY

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED

Dated: November 12, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE